IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4821 OF 2007

Behram Nowroji Gamadia & Anr..... ....Petitioners.

V/s

The Municipal Corpn. Of Greater Bombay & Ors..... ....Respondents.

Office Notes, Office Memoranda of Coram, appearances Court's orders or directions and Registrar' orders.	Court's or Judge's Orders

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Mr.P.Khambata, Sr.Adv. With S.Mehta i/by M/s.Madekar & Co., Advocates. for the petitioners.

Mr.A.R.Bhor, Adv. For the respondents.

CORAM: A.P. DESHPANDE, J.

5.7.2007

PC:

This petition is directed against an order dated 11.6.07 passed by the City Civil Court, Greater Bombay rejecting the consent terms placed on record by the parties who have resolved the dispute by entering into compromise. From perusal of the order it is revealed that the counsel appearing for the Corporation wanted time to seek confirmation from the Corporation as to whether it is ready and willing to settle the dispute. The learned counsel appearing for the Corporation submits that the date on which the consent terms were tendered

before the City Civil Court the compromise/settlement was not finally approved and sanctioned by the Competent Authority. Learned counsel further submits that now the consent terms are approved and sanction by Competent Authority on 2.7.07 and thus the parties are in position to file consent terms before the City Civil Court and have the suit disposed of in terms of the settlement. In this view of the matter the impugned order is quashed and set aside. The parties shall be at liberty to approach the City Civil Court and place on record the approval and sanction to the consent terms granted by the Competent Authority. On filing of approval and sanction on record, the City Civil Court shall proceed to consider the consent terms already placed on its record and pass appropriate order. Copy of the consent terms/minutes of order, so also the approval and sanction accorded by the Competent Authority dated 2.7.07 is taken on record and marked `X' for identification. Writ petition accordingly stands disposed of.

5.7.07